GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Home Department – Departmental action initiated against Sri K.Madhavaram Dutta, Superintendent, I Additional Chief Metropolitan Magistrate Court, Vijayawada (Retired), on the allegation of non submission of annual property returns – Oral enquiry conducted – Report received – Examined – Imposing the penalty of 10% cut in pension for a period of (6) six months against the Charged Officer – Orders – Issued.

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HOME (SC-B LA &J) DEPARTMENT

G.O.Rt.No.197, Dated:20-02-2023

Read the following:

1. From the Director General, Anti Corruption Bureau, A.P., Hyderabad, Final Report Lr.No.145/RCT-VKI/2008-S9, dated:14.11.2008.
2. G.O.Ms.No.80, Home (SC.B LA &J) Department, dated:04.02.2009.
3. Govt. Letter No.385/SC.B-LA&J/A2/2008-3, Home (SC.B LA &J) Department, dated:13.03.2009.
4. From the Registrar, (Vigilance), High Court of AP, Hyderabad, D.O. Letter No.771/2008-Vigilance Cell, dated:06.09.2011 along with enquiry report of Inquiry Authority, dated:11.07.2011.
5. Govt. Memo No.385/SC.B/A2/2008-9&10, Home (SC.B LA&J) Department, dated:16.02.2013 & 30.09.2013.
6. G.O.Ms.No.111, Home (SC.B) Department, dated:06.08.2018.
7. From the Dy. Secretary, APPSC Letter No.436/DC&C/2019, Dated: 16.08.2019.
8. Memo No.385/SC.B/A2/2008, Home (SC.B) Department, dated:25.11.2019.
9. Letter from the Registrar (Vigilance), dated:29.11.2021 along with representation of Sri K.Madhavaram Dutta, Superintendent, I Addl. Chief Metropolitan Magistrate Court, Vijayawada, dt:25.10.2021.

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ORDER:

Whereas, based on the report received from the Director General, Anti Corruption Bureau, dated:14.11.2008, Government have ordered for prosecution of Sri K. Madhavaram Dutta, Superintendent, I Addl. Chief Metropolitan Magistrate Court, Vijayawada, in a bribe case. Also, orders issued in the reference 3rd read above, to initiate disciplinary action against Sri K.Madhavaram Dutta, Superintendent, I Addl. Chief Metropolitan Magistrate Court, Vijayawada, on the allegation of non submission of Annual Property Returns to the competent authority. Accordingly, the District Judge, Krishna, framed the charge against the AO, as "Sri K.Madhavaram Dutta, Superintendent, I Addl. Chief Metropolitan Magistrate Court, Vijayawada, failed to submit annual property returns during his tenure as Government Servant from 11.04.1975 to 13.06.2008 except for the years 1978, 1982 to 1985 and 1989 which acts exhibited lack of integrity, devotion to duty, unbecoming of a Government servant.

2. In the reference 5th read above, while enclosing a copy of the report of Enquiry Officer Sri K.Madhavaram Dutta, Superintendent, O/o 1st Additional Chief Metropolitan Magistrate Court, Vijayawada (now retired) was requested to furnish his explanation on the findings of the Enquiry Officer. Further, again Sri K.Madhavarm Dutta, Superintendent, O/o 1st Additional Chief Metropolitan Magistrate Court, Vijayawada (now retired) was issued Show cause Notice to him as to why the provisional decision of 10% cut in pension for six months should not be imposed against him. But the delinquent has not submitted the explanation.

3. And Whereas, in the reference 6th read above, Government have issued orders to impose the punishment of withholding pension and gratuity in full permanently against Sri K.Madhavaram Dutta, Superintendent, O/o 1st Additional Chief Metropolitan Magistrate Court, Vijayawada (now retired) with immediate effect under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980, read with orders issued in G.O.Ms.No.2, General Administration (Ser.C) Department, dated:04.01.1999, consequent on his conviction in C.C. No.39/2009, dated:13.04.2018 on the file of the Special Judge for SPE & ACB Cases, Vijayawada.

4. After careful examination of the entire matter, Government have decided to impose the penalty of 10% cut in pension for a period of six (6) months, for non submission of Annual Property Returns to the competent authority, except for the years 1978, 1982 to 1985 and 1989, Sri K.Madhava Ram Dutta, Superintendent, O/o 1st Additional Chief Metropolitan Magistrate Court, Vijayawada (now retired) in the light of Section 52 of the A.P. Revenue Recovery Act, 1864 and the Andhra Pradesh High Court in B.C. Mulajkar Vs Government of Andhra Pradesh (AIR 1971 AP 169) while interpreting Section 52 of the Madras Revenue Recovery Act, 1864, since the charges were held proved in the O.E.

5. In the reference 7th read above, the APPSC who were consulted in the matter have concurred and advised to implement the penalty by using RR Act. Further explanation of the Charged Officer was received on the proposed action.

6. Government, after careful examination of the entire issue, hereby order to impose the penalty of 10% cut in pension for a period of six (6) months against Sri K.Madhavaram Dutta, Superintendent, I Additional Chief Metropolitan Magistrate Court, Vijayawada (Retired), for non submission of Annual Property returns to the competent authority, except for the years 1978, 1982 to 1985 and 1989.

7. A copy of the reference 7th read above is communicated to the individual concerned, as per Rule 23 of APCS (CC&A) Rules, 1991.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.SATYA PRABHAKAR RAO
SECRETARY TO GOVERNMENT
LEGAL & LEGISLATIVE AFFAIRS AND JUSTICE

To

Sri K.Madhavaram Dutta, Superintendent,
I Additional Chief Metropolitan Magistrate Court, Vijayawada (Retired)
The Registar (Vigilance), High Court of AP, Nelapadu.
Copy to:
The Director General, Anti Corruption Bureau, AP, Vijayawada.
The Andhra Pradesh Vigilance Commission, AP Secretariat, Velagapudi.
SF/SC.

// FORWARDED BY ORDER //

S. Satyavathi
SECTION OFFICER (SC)